

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 44666 of 2023

Applicant :- Rajveer Singh

Opposite Party :- State of U.P.

Counsel for Applicant :- Sushil Kumar Chaturvedi

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia,J.

1. Supplementary affidavit filed today in Court is taken on record.
2. Heard learned counsel for the applicant, learned AGA and perused the record.
3. The FIR in question was lodged alleging an offence under Section 364A IPC read with Section 368 IPC against as many as four persons, including the applicant. Subsequently, after investigation, six persons named as accused in the charge-sheet were tried and were exonerated vide judgment dated 05.12.2011. As the applicant had been tried separately and did not surrender, he was arrested subsequently and is now being detained. Contention of counsel for the applicant is that six of the co-accused have already been exonerated vide a detailed judgment dated 05.12.2011. The applicant has no criminal antecedent of any offence after the year 2011. With regard to the offence prior to the year 2011, a supplementary affidavit has been filed in which the criminal antecedents have been explained.
4. Learned AGA has opposed the bail application.
5. Considering the offence to be of the year 2005 and the fact that six of the co-accused have already been exonerated after trial coupled with the fact that the applicant has no criminal antecedent after the year 2011, the applicant is entitled to be enlarged on bail. In view thereof, the application is ***allowed***.
6. Let the applicant ***Rajveer Singh*** be released on bail in FIR No.29 of 2005, under Section 364A, 368 IPC, P.S. Jagner, District Agra on his furnishing a personal bond with two sureties of Rs.25,000/- each to the satisfaction of court concerned with the following conditions:

- (a) The applicant shall execute a bond to undertake to attend the hearings;

(b) The applicant shall not commit any offence similar to the offence of which he is accused or suspected of the commission; and

(c) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

Order Date :- 20.11.2023

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